

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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Case No.: 24-10381 (JPM)

In re: JJ Arch LLC,

Debtor.

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JJ Arch LLC, et al.

Adv. Pro. No.: 24-01335 (JPM)

Plaintiffs.

– v –

First Republic Bank, et al.

Defendants.

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ORDER

Upon consideration of the DEBTOR’S *EX PARTE* MOTION FOR AN ORDER SHORTENING NOTICE WITH RESPECT TO DEBTOR’S MOTION FOR AN ORDER (I) COMPELLING EXPEDITED DISCOVERY IN CONNECTION WITH MOTIONS TO DISMISS AND REMAND FILINGS, (II) ADJOURNING HEARING ON REMAND FILINGS UNTIL DISMISSAL ISSUES HAVE BEEN RESOLVED AND (III) SETTING A BRIEFING AND HEARING SCHEDULE TO RESOLVE DISMISSAL ISSUES (the “Motion to Shorten”) [Doc. 86] [Adv. Pro. Doc. 17], as well as the LETTER TO THE HONORABLE JOHN P. MASTANDO III filed by counsel for Jared Chassen [Doc. 82] [Adv. Pro. Doc. 12] and the LETTER OBJECTING TO DEBTORS MOTION FOR AN ORDER SHORTENING NOTICE WITH RESPECT TO DEBTORS MOTION FOR AN ORDER DATED APRIL 16, 2024 filed by counsel for Arch Real Estate Holdings LLC, and joined by Jared Chassen [Doc. 89] [Adv. Pro. Doc. 18], it is hereby ORDERED that:

- (i) the Motion to Shorten [Doc. 86] [Adv. Pro. Doc. 17] is DENIED;
- (ii) as previously scheduled, on May 2, 2024, at 10:00 a.m., the Court will hear arguments on the following motions:
 - (a) JARED CHASSEN AND ARCH REACH ESTATE HOLDINGS LLC’S JOINT MOTION TO REMAND BASED ON LACK OF JURISDICTION OR, IN THE ALTERNATIVE, PRINCIPLES OF ABSTENTION OR EQUITY (the “Motion to Remand”) [Adv. Pro. Doc. 2];

- (b) ARCH REAL ESTATE HOLDINGS LLC’S MOTION FOR ENTRY OF AN ORDER (I) CONFIRMING THAT THE AUTOMATIC STAY DOES NOT APPLY TO CERTAIN CORPORATE GOVERNANCE DISPUTES, AND/OR (II) MODIFYING THE AUTOMATIC STAY AS NECESSARY TO ADDRESS SUCH CORPORATE GOVERNANCE DISPUTES [Doc. 38]; and
 - (c) MOTION FOR ENTRY OF AN ORDER (I) CONFIRMING THAT THE AUTOMATIC STAY DOES NOT APPLY TO CERTAIN CORPORATE GOVERNANCE DISPUTES, AND/OR (II) MODIFYING THE AUTOMATIC STAY AS NECESSARY IN ORDER TO ADDRESS SUCH CORPORATE GOVERNANCE DISPUTES [Doc. 40] (collectively with [Doc. 38], the “Lift Stay Motions”);
- (iii) during the hearing set for May 2, 2024, the Court will hold a status conference, at which time the Court will consider further briefing and any discovery with respect to the following motions:
- (a) DEBTOR’S MOTION FOR AN ORDER (I) COMPELLING EXPEDITED DISCOVERY IN CONNECTION WITH MOTIONS TO DISMISS AND REMAND FILINGS, (II) ADJOURNING HEARING ON REMAND FILINGS UNTIL DISMISSAL ISSUES HAVE BEEN RESOLVED AND (III) SETTING A BRIEFING AND HEARING SCHEDULE TO RESOLVE DISMISSAL ISSUES [Doc. 85] [Adv. Pro. Doc. 16];
 - (b) MOTION FOR AN ORDER DISMISSING THE DEBTOR’S BANKRUPTCY CASE [Doc. 4]; and
 - (c) MOTION TO JOIN JARED CHASSENS MOTIONS (1) FOR AN ORDER SCHEDULING A HEARING ON SHORTENED NOTICE AND (2) FOR AN ORDER DISMISSING THE DEBTORS BANKRUPTCY CASE [Doc. 13];
- (iv) further replies in support of the Lift Stay Motions, if any, are due by April 23, 2024, at 5:00 p.m.;
- (v) responses to the Motion to Remand, if any, are due by April 23, 2024, at 5:00 p.m.; and
- (vi) replies in support of the Motion to Remand, if any, are due by April 30, 2024, at 5:00 p.m.

It is SO ORDERED.

Dated: April 17, 2024
New York, New York

/S/ John P. Mastando III
HONORABLE JOHN P. MASTANDO III
UNITED STATES BANKRUPTCY JUDGE